

**Central Administrative Tribunal
Principal Bench, New Delhi**

**O.A.No.879/2013
MA 678/2013**

Wednesday, this the 13th day of March, 2013

**Honble Shri George Paracken, Member (J)
Honble Shri Shekhar Agarwal, Member (A)**

1. Shailendra Kumar Mishra
S/o Shri H.C. Mishra
R/o H.No. 633, Sector 3, Type-IV,
R.K. Puram, New Delhi-22.
2. Gaurav Chaturvedi
S/o Shri P.C. Chaturvedi
R/o C-176, Minto Road Complex,
New Delhi.
3. Rajesh Srivastava
S/o Late Shri R.S. Srivastava
R/o Quarter No.485, Sector-3,
R.K. Puram,
New Delhi.
4. Ashin Ghosh
S/o Shri S.N. Ghosh
R/o C-501, Sarojini Nagar,
New Delhi.
5. Sanjiv Verma
S/o Late Shri Surendra Mohan Verma
R/o 5-G, MSD Flats, Minto Road Complex,
Minto Road,
New Delhi.
6. Ms. Amita Gautam
D/o P.C. Sharma
R/o 12, Jeevam Bima Apartment,
Arjun Nagar,
Delhi-110032.

Applicant.

(By Advocate: Shri Yogesh Sharma)

Versus

1. Union of India through
The Secretary,
Ministry of Information & Broadcasting,
Govt. of India,

Shastri Bhawan,
New Delhi-110 001.

2. Director General,
Doordarshan, Mandi House,
Copernicus Marg, New Delhi.
3. Director General,
All India Radio, Akashwani Bhawan,
Sansad Marg, New Delhi.

.. Respondents

O R D E R (O R A L)

Shri G George Paracken:

This joint application has been made by the applicants against the alleged inaction on the part of the respondents in not considering and granting them the 1st ACP on completion of 12 years of service in the pay scale of Rs.8000-13500 by way of extending the benefit of judgment dated 07.09.2009 passed by the Patna Bench of this Tribunal in OA No.514/2002 upheld by Hon'ble Patna High Court vide judgment dated 25.08.2010 in CWJC No.6451/2010 and further upheld by the Apex Court vide order dated 10.01.2011 in SLP (C) No.CC-20212/2010.

2. Learned counsel for the applicant has submitted that in a similar case in OA No.757/2013, Umesh Chandra and Ors. v. Union of India & Ors., this Tribunal has considered the same issue and passed the following orders:-

"4. In view of the above position, the respondents are directed to examine the case of the applicants and if it is found that they are covered by the decision of the Patna Bench(supra), they shall also be extended the same benefits as have been given to the applicants therein within a period of two months from the date of receipt of a copy of this order. However, if the respondents come to the conclusion that the applicants are not covered by the aforesaid order, they shall pass a speaking and reasoned order within the aforesaid period. In that case, the applicants will have the liberty to challenge the order so passed by appropriate proceedings. There shall be no order as to costs.

2. In view of the above position, we dispose of this OA at the admission stage itself with a direction to the respondents to reconsider the cases of the applicants and if their cases are also covered by the aforesaid decision, they shall also be given the same benefits. Accordingly, the respondents shall pass necessary orders in the matter within a period of two months from the date of receipt of a copy of this order.

3. There shall be no order as to costs.

(Shekhar Agarwal)
Member (A)

(G George Paracken)
Member (J)